

Sewage Overflow Community Right-to-Know Act

Sewer system overflows threaten public health and coastal economies. Sanitary sewer systems convey only sewage and industrial wastewater to water treatment plants, while combined sewer systems rely on the same pipe to also conduct storm water. Both sanitary and combined sewer systems are susceptible to overflowing and discharging raw sewage during excessive rainfall or snowmelt events. The consumption of contaminated drinking water, as well as the consumption or handling of fish caught in contaminated water bodies exposes humans to harmful waterborne diseases and pathogens. The Sewage Overflow Community Right-to-Know Act creates a national standard for public reporting of sewage overflows, reducing the potential for human exposure to discharges and improving public health.

In a 2004 report to Congress, the Environmental Protection Agency (EPA) estimated that 118,000 sanitary sewer overflow events occur annually, releasing up to 860 billion gallons of untreated wastewater and contributing to beach closures, shellfish bed closures, contamination of drinking water supplies, and other environmental and public health concerns. EPA's report recommends improved monitoring and reporting programs in order to provide better data for decision makers.

The Sewage Overflow Community Right-to-Know Act responds to EPA's recommendation by requiring treatment works operators to institute effective monitoring technology, to quickly notify public health authorities and public water systems of overflows with significant human health consequences, and to notify the public of overflows with the potential to affect human health as soon as practicable.

The Act also requires:

- Event reporting: After each sewer overflow, the responsible party must report the magnitude, duration and suspected cause of the overflow, as well as the steps taken to prevent recurrence and mitigate impacts.
- Annual reporting: On an annual basis, treatment works must provide a summary to the EPA of the total number of overflow incidents, and by incident: the amount of wastewater released, duration, location and affected areas, responses taken, mitigation actions, and actions to prevent recurrence.

The Act provides for:

- State implementation: A state may submit evidence to the EPA that it has established a substantially equivalent (or more stringent) program. The EPA may authorize the state to carry out its program instead of following the federal requirements. The EPA may also withdraw authorization if a state program fails to meet the standard of substantial equivalency.
- Implementation funding: Federal Water Pollution Control Act State revolving funds are authorized to be used for sewer overflow monitoring infrastructure improvements.